

## Message Text

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ORIGIN SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 L-02 H-02 SNM-02 JUSE-00

DEAE-00 SSO-00 NSCE-00 /017 R

DRAFTED BY SCA/SCS:WPCHASE:REM

APPROVED BY SCA:LFWALENTYNOWICZ

H - EKRIZEK - (SUBS)

L/SCA -EKERLEY (DRAFT)

ARA/MEX JDREYFUSS(DRAFT)

S/NM - JMCLAUGHLIN (DRAFT)

----- 096385

O P 192136Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO IMMEDIATE

INFO AMCONSUL CIUDAD JUAREZ PRIORITY

AMCONSUL GUADALAJARA

AMCONSUL HERMOSILLO

AMCONSUL MATAMOROS

AMCONSUL MAZATLAN

AMCONSUL MERIDA

AMCONSUL MONTERREY

AMCONSUL NUEVO LAREDO

AMCONSUL TIJUANA

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E.O. 11652:GDS

TAGS: CGEN, OTRA, MX

SUBJECT: CONGRESSIONAL HEARINGS

1. TEXT OF PREPARED STATEMENTS MADE TO HOUSE SUBCOMMITTEE  
ON INTERNATIONAL POLITICAL AND MILITARY AFFAIRS BY SCA  
ADMINISTRATOR WALENTYNOWICZ, CONGRESSMAN STARK AND STAFF  
ASSISTANT JULYAN HAVE BEEN POUCHED TO ALL ADDRESSEES.

HEARINGS WERE RECESSED WITH AGREEMENT THAT INFORMAL GROUP  
WOULD EXAMINE IN DETAIL ABOUT 15 CASES TO DETERMINE PATTERN

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OF HOW AMERICAN ARREST CASES HAD BEEN HANDLED AND PROBLEMS

INVOLVED. LESS DETAILED REVIEW OF REMAINING CASES WOULD ALSO BE COMPLETED. INFORMAL GROUP TO CONSIST OF REPRESENTATIVES OF DEPARTMENT AND STARK'S OFFICE WITH COMMITTEE STAFF MEMBERS AS PARTICIPANTS. ISSUES WHICH COULD NOT BE RESOLVED WILL BE REFERRED IF NECESSARY TO AS YET UNNAMED NEUTRAL THIRD PARTY WHO STARK AGREED MAY BE DEPARTMENTAL OFFICER FROM OUTSIDE SCA, FOR HIS COMMENTS. SUBCOMMITTEE HEARINGS WILL RESUME MID-JUNE TO RECEIVE FINDINGS OF INFORMAL GROUP AND AS NECESSARY FURTHER COMMENTS BY SCA ADMINISTRATOR WALENTYNOWICZ, CONGRESSMAN STARK, AND NEUTRAL THIRD PARTY. RESUMED HEARINGS WILL BE HELD IN EXECUTIVE SESSION IN ORDER THAT DETAILS ON INDIVIDUAL CASES CAN BE DISCUSSED WITHOUT PREJUDICING CASES OF INDIVIDUAL PRISONERS INVOLVED AND ALSO TO AVOID PUBLICITY WHICH MIGHT IMPROPERLY REFLECT AGAINST

GOVERNMENT OFFICIALS INVOLVED OR PROVE UNNECESSARILY EMBARRASSING TO US-MEXICAN RELATIONS.

2. CASES REVIEWED BY INFORMAL GROUP IN DETAIL WERE:

BLACKBURN, JEFFREY WERNER  
BRASWELL, DONALD T.  
BRIEN, CATHERINE ARMSTRONG  
COULTER, TYRONE WAYNE  
DOUGLAS, JAMES RIDLEY  
EVERS, JULIA ANN  
GREENE, MICHAEL JAMES  
HARRISON, KAREN ELAINE  
HEINICHEN, MICHAEL C.  
KATZMAN, LAURA  
KENNEDY, BRIAN  
MEEKER, THOMAS  
MORRIS, MARILYN DEE  
NORTON, JAMES PHILLIP  
POSTLES, NORMAN  
RENNA, FRANK WILLIAM  
SHAFFER, EDGAR  
VANDENDRIESCHE, RICHARD  
WADE, GEORGE  
WIEZBOWSKI, MARIA  
ZELLET, FRANK A.  
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FOR PURPOSES OF REDUCING WORKLOAD TO A MORE MANAGEABLE PROPORTION NON-MEXICO CITY CASES OF KENNEDY, POSTLES AND WADE WERE DELETED AS WELL AS MEXICO CITY CASES EVERS, MEEKER AND VANDENDRIESCHE. REVIEW PROCEDURES TO DATE HAVE INVOLVED SERIES OF MEETINGS FOR PURPOSES OF COMPARING RECORDS OF DEPARTMENT WITH THOSE OF STARK OFFICE. REVIEW HAS IDENTIFIED IN EACH CASE THOSE ISSUES IN WHICH RECORDS

ARE IN CONFLICT OR INCONSISTENT. REVIEW HAS ALSO IDENTIFIED THOSE ASPECTS OF MEXICAN LEGAL, JUDICIAL AND PENAL PROCEDURES WHICH HAVE BEEN ALLEGEDLY VIOLATED.

3. NEXT STAGE OF PROGRAM IS TO MAKE FURTHER INQUIRY INTO THOSE AREAS THAT NEED CLARIFICATION. THIS INCLUDES INTERVIEWS AND SWORN STATEMENTS FROM CERTAIN PRISONERS, USG OFFICIALS, AND OTHERS ANSWERING GROUP'S INQUIRIES. FOR THIS PURPOSE 2 SCA OFFICERS (FSO-3 LOUIS LINK AND FSR-6 TERRY KLEINKAUF) PLUS UNDETERMINED OTHER SCA PERSONNEL WILL VISIT MEXICO CITY ON OR ABOUT MAY 27. (EXACT DATE TO BE DETERMINED BY COMPLETION OF ARRANGEMENTS BY EMBASSY AS HEREINAFTER REQUESTED.) LATE MAY 16, CONGRESSMAN STARK IN CONVERSATION WITH MR. WALENTYNOWICZ INDICATED HIS OFFICE CONSIDERING OBTAINING SERVICES JEROME R. WALDIE, FORMER

CONGRESSMAN FROM CALIFORNIA, TO ACCOMPANY SCA REPS AND PARTICIPATE AS STARK'S REPRESENTATIVE IN THE GROUP. THIS ACCEPTABLE TO DEPARTMENT. AS THIS IS FIRMED UP, EMBASSY WILL BE INFORMED. EMBASSY REQUESTED INCLUDE WALDIE IN PARAGRAPH 7. AFTER REVIEWING ALL PERTINENT EMBASSY FILES, GROUP WILL WISH TO VISIT PRISONS TO POSE INQUIRIES TO THE NAMED PRISONERS.

4. PREPARATORY TO ABOVE INTERVIEWS, PRISONERS WILL BE GIVEN STATEMENT AGREED UPON BY GROUP EXPLAINING PURPOSE OF INTERVIEW. THE QUESTIONS WILL NOT DEAL WITH THE SUBJECT'S ALLEGED GUILT BUT WILL RELATE ONLY TO MATTERS CONCERNING MANNER OF CONSULAR PROTECTION, ALLEGATIONS OF MISTREATMENT AND ALLEGATIONS OF DENIAL OF DUE PROCESS.

5. EMBASSY IS REQUESTED TO (A) CONSULT THE PRISONERS REQUESTING THEIR CONCURRENCE AND (B) OBTAIN THEIR COUNSEL'S LIMITED OFFICIAL USE

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WRITTEN APPROVAL FOR THE INTERVIEWS PARTICULARLY IF THE SUBJECT IS IN PRE-TRIAL CONFINEMENT OR HAS AN APPEAL PENDING. LEGAL COUNSEL MAY BE PRESENT DURING THE INTERVIEW IF THE SUBJECT DESIRES.

6. EMBASSY IS ASKED TO COMMENT WHETHER IT CAN ARRANGE NECESSARY LOGISTIC SUPPORT FOR THE ABOVE INTERVIEWS. THIS WILL INCLUDE NECESSARY STENOGRAPHIC ASSISTANCE CAPABLE OF RECORDING INTERVIEW AND MAKING ACCURATE TRANSCRIPTION ON THE SPOT IN THE MANNER OF A COURT STENOGRAPHER. IF UNABLE TO PROVIDE SUCH STENOGRAPHIC SUPPORT, EMBASSY IS REQUESTED TO EXPLORE FEASIBILITY AND COST OF OBTAINING ENGLISH-LANGUAGE STENOGRAPHIC SECRETARIES ON A CONTRACTUAL BASIS. GROUP WILL CONDUCT INITIAL INTERVIEW JOINTLY BUT WILL THEREAFTER SPLIT INTO TWO TEAMS AND WORK SEPARATELY FOR

REMAINDER OF INTERVIEWS. IN PRISON, SECRETARIAL HELP WILL NEED TYPEWRITERS AND OTHER EQUIPMENT TO FACILITATE PREPARATION OF FINISHED TRANSCRIBED COPY AVAILABLE FOR SUBJECT TO SIGN BEFORE NOTARY PUBLIC. EMBASSY OFFICER WITH CONSULAR COMMISSION TO BE AVAILABLE AT ALL TIMES TO EXECUTE OATH AND ACT AS LIAISON BETWEEN GROUP AND PRISON AUTHORITIES. (MOST MEMBERS OF GROUP WILL NOT SPEAK SPANISH.)

7. EMBASSY REQUESTED TO APPROACH MEXICAN AUTHORITIES FOR PERMISSION TO CONDUCT INTERVIEW SUCH AS DESCRIBED ABOVE WITHIN THE RESPECTIVE PRISONS.

8. IMMEDIATELY FOLLOWING CONCLUSION OF INTERVIEWS SCA REPS MAY FIND IT NECESSARY ALSO TO OBTAIN SWORN STATEMENTS IN QUESTION AND ANSWER FORMAT FROM CERTAIN EMBASSY OFFICERS AND OTHERS (THOSE PERSONS WHO MAY HAVE RELEVANT INFO) WHO

MAY HAVE BEEN INVOLVED IN THE ABOVE CASES AS A FURTHER STEP TOWARDS RESOLVING MATTERS OF RECORD. IN RESPECT TO INVOLVED GOVERNMENT EMPLOYEES NO LONGER AT POST, SCA REPS WILL ARRANGE THAT APPROPRIATE TELEGRAMS BE SENT TO THE EMPLOYEE'S PRESENT LOCATION.

9. IN ORDER TO FURTHER DOCUMENT BACKGROUND OF THESE CASES, IT IS DESIRABLE THAT THE SCA REPS, WITH EMBASSY OFFICERS OR THE EMBASSY CONTRACT EMPLOYEE MENDOZA REVIEW LIMITED OFFICIAL USE

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APPROPRIATE MEXICAN POLICE FILES AND COURT RECORDS FOR SUCH PURPOSES AS NOTING WHETHER THERE IS ANY EVIDENCE THAT THE ACCUSED HAD BEEN SUBJECTED TO MISTREATMENT OR BEEN DENIED DUE PROCESS. THIS WOULD ALSO INVOLVE WHETHER THE SUBJECT HAD OPPORTUNITY TO FILE OR HAD EVER FILED A PETITION OR STATEMENT TO THE APPROPRIATE COURT OR OTHER OFFICIAL ALLEGING MISTREATMENT OR DENIAL OF DUE PROCESS AND THE COURT'S RESPONSE. WE APPRECIATE THAT THIS REVIEW MEXICAN GOVERNMENT INTERNAL DOCUMENTS RAISES VARIOUS SENSITIVE ISSUES. WE ARE ENCOURAGED, HOWEVER, BY EMBASSY INFORMATION THAT LIC. MENDOZA HAS SUCCEEDED IN OBTAINING ACCESS TO CERTAIN COURT RECORDS. WHERE NECESSARY THE CONFIDENTIALITY OF THE RECORDS OR INFORMATION REQUESTED WILL BE HONORED BY DEPARTMENT AND THE HOUSE SUBCOMMITTEE. IF POLICE FILES AND/OR COURT RECORDS NOT AVAILABLE BECAUSE GOM POSITION, SCA REPS WILL NEED TO DOCUMENT THAT FACT FOR PRESENTATION TO COMMITTEE. I.E., DIPLOMATIC NOTE FROM GOM THIS EFFECT.

10. FOR MEXICO CITY: ADMINISTRATOR WALENTYNOWICZ AND DEPUTY ADMINISTRATOR LAWRENCE WILL TRAVEL TO MEXICO CITY TO DISCUSS FEASIBILITY OF ABOVE. ARRIVING TUESDAY, MAY 20,

BRANIFF FLIGHT NO. 15, ETA 8:10 P.M. DEPART MEXICO CITY  
THURSDAY, BRANIFF FLIGHT NO. 138 DEPARTING 8:15 A.M.  
PLEASE MEET AND MAKE APPROPRIATE HOTEL RESERVATIONS. INGERSOLL

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## Message Attributes

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